

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA	§	
	§	
	§	
v.	§	No. 1:22-CR-00273-RP
	§	
(1) MARK NAGY,	§	
<i>Defendant</i>	§	

ORDER

Before the Court is Defendant Mark Nagy's counsel's Motion to Withdraw as Attorneys of Record, Dkt. 44; and Nagy's Motion for Appointment of Appellate Counsel, Dkt. 45. The District Court referred the motions to the undersigned for resolution pursuant to 18 U.S.C. § 3006A(b), 28 U.S.C. § 636(b)(1)(A), and Rule 44 of the Federal Rules of Criminal Procedure. Dkt. 48.

The District Court entered a final judgment in Nagy's case on September 12, 2023. Dkt. 42. Nagy's appointed trial counsel, Ken Ervin and Lindsey Adams, thereafter moved to withdraw from the case and for new counsel to be appointed to represent Nagy on appeal. Dkt. 44. Nagy confirms this request in his own motion. Dkt. 45. Based on the representations in those motions, the undersigned finds good cause to permit Nagy's present counsel to withdraw and to appoint new counsel to represent Nagy on appeal.

IT IS THEREFORE ORDERED that the motions, Dkts. 44 and 45, are GRANTED. Mr. Ervin and Ms. Adams are permitted to WITHDRAW as counsel for Defendant, and Jennifer S. Freel, Jackson Walker, 100 Congress Ave., Suite 1100,

Austin, TX 78701, (512) 236-2330, is appointed to represent Defendant in the above-captioned case. The Court FURTHER ORDERS that Mr. Ervin and Ms. Adams meet with Ms. Freel at the earliest opportunity to give Ms. Freel a copy of the file and bring her up to date with regard to the representation of Defendant. Thereafter, Mr. Ervin and Ms. Adams have no further responsibilities in this case.

SIGNED September 27, 2023.



DUSTIN M. HOWELL
UNITED STATES MAGISTRATE JUDGE